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Conseco Senior Health Insurance Company  
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17 IN THE UNITED STATES DISTRICT COURT  
18 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

20 JACK CASTOR, )  
21 )  
22 Plaintiff, )  
23 ) CIVIL ACTION NO.: 3:08-CV-4720 PJH  
vs. )  
24 CONSECO SENIOR HEALTH ) STIPULATION TO EXTEND PRIVATE  
INSURANCE COMPANY & AIG ) MEDIATION DEADLINE; ~~PROPOSED~~ ORDER  
25 LIFE INSURANCE COMPANY, )  
26 )  
27 Defendants. )  
28

1           **COME NOW** the parties, plaintiff Jack Castor (“Plaintiff”), defendant Conseco Senior  
2 Health Insurance Company (“CSHIC”), and defendant AIG Life Insurance Company (“AIG”)  
3 (collectively the “Parties”), by and through their respective counsel, and pursuant to Civil L. R. 7-11,  
4 hereby respectfully request an order from this Court amending the scheduling order to extend the  
5 private mediation deadline to July 15, 2009. In support thereof, the Parties show good cause and  
6 stipulate as follows:  
7

8           1.       On or about January 27, 2009, the Court entered its scheduling order in this action,  
9 stating that private mediation is “to be completed within 5 months” - by June 27, 2009, in other  
10 words.

11           2.       In April 2009, CSHIC sought new counsel to defend its interests in this action,  
12 substituting in new counsel of record on or about April 28, 2009. Said substitution inevitably  
13 created a slight delay in the progress of the litigation of this action.  
14

15           3.       Since then, however, the Parties have continually discussed their mediation  
16 obligations in this case and, ultimately, jointly selected the Honorable Edward A. Infante to serve as  
17 the mediator in the case.  
18

19           4.       Counsel for each party in this case resides in a different California city. The actual  
20 Parties in this action live in three different states. Taking into account each party’s, and their  
21 respective counsel’s, travel arrangements, coupled with Judge Infante’s limited availability,  
22 scheduling a mutually agreeable mediation date prior to June 27, 2009 was not feasible.  
23

24           5.       Accordingly, on or about May 20, 2009, the Parties scheduled the mediation with  
25 Judge Infante for July 15, 2009, subject to the Court’s approval.  
26

27           6.       In light of the foregoing, the Parties respectfully request that this Court extend the  
28 private mediation deadline in this case to July 15, 2009.  
2

1                   **WHEREFORE, PREMISES CONSIDERED**, the Parties respectfully request that this  
2 Court enter an Order amending its scheduling order and extending the private mediation deadline in  
3 this action to July 15, 2009.

4                   DATED: June 8, 2009

5                   **BRADLEY ARANT BOULT CUMMINGS LLP**

6                   By: s/Jamie L. Moore  
7                   Jamie L. Moore (admitted *pro hac vice*)  
8                   D. Brian O'Dell (admitted *pro hac vice*)  
9                   Jason R. Bushby (admitted *pro hac vice*)

10                  BULLIVANT HOUSER BAILEY PC  
11                  Andrew B. Downs, SBN 111435  
12                  Judith A. Whitehouse, SBN 198176

13                  Attorneys for Defendant  
14                  Conseco Senior Health Insurance Company

15                  DATED: June 8, 2009

16                  **KANTOR & KANTOR, LLP**

17                  By: s/Corinne Chandler  
18                  Corinne Chandler  
19                  Attorneys for Plaintiff Jack Castor

20                  DATED: June 8, 2009

21                  **WILSON ELSER MOSKOWITZ EDELMAN & DICKER**  
22                  LLP

23                  By: s/Dennis J. Rhodes  
24                  Adrienne Clare Publicover  
25                  Dennis J. Rhodes

26                  Attorneys for Defendant AIG Life Insurance Company

~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

the private mediation deadline is hereby extended to July 15, 2009.

DATED: 06/11/09

